

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 3868 - HB 3808**

February 22, 2010

**SUMMARY OF BILL:** Grants an offender classified as minimum direct an additional eight days of sentence reduction credits per month and grants an offender classified as minimum trustee an additional 14 days of sentence reduction credits per month. Such credits shall not apply to an offender convicted of an offense requiring 85 or 100 percent of the sentence imposed by the court to be served.

**ESTIMATED FISCAL IMPACT:**

**Decrease State Expenditures – \$11,389,800/FY10-11  
\$22,779,500/FY11-12 & Subsequent Years**

**Assumptions:**

- Based on Department of Correction (DOC) stock population as of February 18, 2010, there are 1,445 minimum direct offenders and 2,108 minimum trustee offenders for a total of 3,553. Additional credits would not apply to offenders convicted of a crime requiring 85 or 100 percent of the sentence imposed by the court. There are a total of 615 offenders who are either minimum direct (197) or minimum trustee (418) that would not be eligible for additional sentence credits leaving a total of 2,938 offenders. There will be 1,248 minimum direct offenders and 1,690 minimum trustee offenders receiving additional sentence credits as a result of this bill.
- According to DOC, the average monthly sentence credit for the past 20 months for minimum direct was 14.78 (92.4 percent) of the total credits allowed (16). Using the same ratio 92.4 percent of the new proposed maximum credits of 24 days would be 22.18 days. Under the proposed bill, such an inmate would an additional 7.40 days of credit (an increase from 14.78 to 22.18).
- According to DOC, the average monthly sentence credit for the past 20 months for minimum trustee was 15.20 (95 percent) of the total credits allowed (16). Using the same ratio 95 percent of the new proposed maximum credits of 30 days would be 28.50 days. Under the proposed bill, such an inmate would an additional 13.30 days of credit (an increase from 15.20 to 28.50).

- Using the weighted average cost per offender per day for 2010 of \$59.86, the decrease in expenditures is estimated at \$6,633,828.86 ( $\$59.86 \times 7.40 \text{ days} \times 1,248 \text{ offenders} \times 12 \text{ months}$ ) for minimum direct offenders and \$16,145,678.64 ( $\$59.86 \times 13.30 \text{ days} \times 1,690 \text{ offenders} \times 12 \text{ months}$ ) for minimum trustee offenders. Total decrease in state expenditures for FY 11-12 and subsequent years is \$22,779,507.50. For FY10-11, the reduction in state expenditures is \$11,389,753.75 ( $\$22,779,507.50 / 2$ ).

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc